

Littler

MEMO ENDORSED

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November 22, 2019

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VIA ECF

Hon. Kenneth M. Karas
United States District Judge
United States District Court, Southern District of New York
300 Quarropas Street
White Plains, NY 10601-4150

Re: *JLT Specialty Insurance Services Inc. v. NFP Property and Casualty Services, Inc.*
Case No. 7:19-cv-03921-KMK

Dear Judge Karas:

As counsel for Plaintiff JLT Specialty Insurance Services Inc., we write to request that Your Honor permit Plaintiff to file under seal exhibits that Plaintiff relies on in support of its opposition to Defendant's motion to transfer or dismiss the complaint. The documents Plaintiff seeks permission to file under seal consist of emails and attachments concerning Defendant's hiring of four individuals who formerly worked for Plaintiff, and the terms of their employment. These documents were produced by Defendant in the action entitled *JLT Specialty Insurance Services Inc. v. Pestana, et al.*, Case No. 3:19-cv-02427 (N.D. Cal.), in accordance with a Stipulated Protective Order for Litigation Involving Patents, Highly Sensitive Confidential Information and/or Trade Secrets dated June 3, 2019, a copy of which is annexed to this letter. Although the documents at-issue indisputably are "judicial documents," insofar as they will be offered in opposition to Defendant's motion, the presumption of public access here is outweighed by the interest in protecting the private employment information of individuals who are not parties to this action. See *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-120 (2006); *United States v. Amodio*, 71 F.3d 1044, 1050 (2d Cir. 1995) ("[t]he privacy interests of innocent third parties . . . should weigh heavily in a court's balancing equation") (internal citation omitted).

The exhibits at-issue are listed in the Declaration of A. Michael Weber dated November 22, 2019, which is was publicly filed with placeholder exhibit pages. Upon the Court's request, Plaintiff will make the proposed exhibits available to the Court for an *in camera* inspection.

We thank the Court for its consideration of this request.

Respectfully submitted,

/s/ Shawn Matthew Clark

Shawn Matthew Clark

cc: All counsel of record (via ECF)

Granted

So ordered

[Signature]
11/25/19